



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima, Suite 200 • Yakima, Washington 98902 • (509) 575-2490

May 28, 1999

Milo B. Bauder
120 Meadow Hills Drive
Richland WA 99352-8464

RE: Ground Water Permit No. G4-30254P

Enclosed please find the above referenced amended permit, which supersedes the original permit dated June 15, 1992. Please retain it for your records.

Please read the instruction sheet as well as both sides of your permit to ensure that the amendments have been properly included.

We are also enclosing a form for filing Proof of Appropriation after the project has been put to full beneficial use. If you have any questions or concerns about any of this information, please call Kevin Brown at (509) 454-7647.

Sincerely,

Kevin Brown
Kevin Brown
Water Resources Program

990514ska

Enclosure(s): Superseding Permit
Instruction Sheet
Proof of Appropriation form

FILE COPY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

file

SUPERSEDING PERMIT

TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

Supersedes Permit Dated June 15, 1992

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Surface Water

(Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)

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Ground Water

(Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE July 24, 1980	APPLICATION NUMBER G4-30254	PERMIT NUMBER G4-30254P	CERTIFICATE NUMBER
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NAME Mark R.
Milo B. Bauder

ADDRESS (STREET) 120 Meadow Hills Drive	(CITY) Richland	(STATE) Washington	(ZIP CODE) 99352-8464
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The applicant is, pursuant to the Report of Examination which has been accepted by the applicant, hereby granted a permit to appropriate the following described public waters of the State of Washington, subject to existing rights and to the limitations and provisions set out herein.

PUBLIC WATERS TO BE APPROPRIATED

SOURCE
a well

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE 2250	MAXIMUM ACRE-FEET PER YEAR 508
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QUANTITY, TYPE OF USE, PERIOD OF USE

468 acre-feet per year for irrigation of 120 acres from April 1 to October 31;
40 acre-feet per year for frost protection.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION--WITHDRAWAL

200 feet east and 200 feet south from center of Section 17.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) NW¼SE¼	SECTION 17	TOWNSHIP N. 7	RANGE, (E. OR W.) W.M. 31 E.	W.R.I.A. 31	COUNTY Benton
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RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
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LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Govt. Lots 3 and 4 of Section 17 containing 59.64 acres, plus or minus; Govt. Lot 1, the N½SE¼NE¼.

Parcel A: That portion of the NW¼ being 400 feet in width and 2400 feet in length lying southwesterly of the canal and railroad right of ways located in Section 17, T. 7 N., R. 31 E.W.M. (KGH)

Parcel B: Approximately 20 acres within the E½SW¼ of Section 17, T. 7 N., R. 31 E.W.M. (DNR)

Parcel C: Approximately 20 acres described as the north 1500 feet and the east 750 feet of the W½NE¼ of Section 20, T. 7 N., R. 31 E.W.M., Benton County.

DESCRIPTION OF PROPOSED WORKS

A well drilled 252 feet deep and 14 inches in diameter. Distribution system to consist of 14-inch mainline and 6000 undertree permanent set sprinklers.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE:

April 1, 1994

COMPLETE PROJECT BY THIS DATE:

April 1, 1996

WATER PUT TO FULL USE BY THIS DATE:

April 1, 1999

PROVISIONS

This authorization to use public waters of the state is classified as a FAMILY FARM PERMIT in accordance with Chapter 90.66 RCW (Initiative Measure No. 59). This means the land being irrigated under this authorization shall comply with the following definition: Family Farm - a geographic area including not more than 2,000 acres of irrigated agricultural lands, whether contiguous or noncontiguous, the controlling interest in which is held by a person having a controlling interest in no more than 2,000 acres of irrigated agricultural lands in the State of Washington which are irrigated under water rights acquired after December 8, 1977. Furthermore, the land being irrigated under this authorization must continue to conform to the definition of a family farm.

That portion of this authorization applied to public lands is subject to the following: The portion of this authorization relating to irrigation is classified as a PUBLICLY OWNED LAND PERMIT in accordance with Chapter 90.66 (Initiative Measure No. 59).

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gage may be installed in addition to the access port.

A suitable measuring device approved by the Department of Ecology shall be installed and maintained in accordance with WAC 508-64-020 through WAC 508-64-040. The meter shall be installed at the source and twice weekly readings shall be documented. The meter data shall be sent by November 15th of each year to the Department of Ecology, Central Region, 15 West Yakima Ave., Suite 200, Yakima WA 98902.

The Department of Ecology will however, remain open to and consider any evidence gathered (chemical analysis, temperature, pump test, or water level surfaces) that clarifies the continuity issue. Provisions would be amended accordingly prior to issuing a certificate of water right.

Provisions continued on page 3.

This permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or fail to give notice to the Department of Ecology on forms provided by that Department documenting such compliance.

Given under my hand and the seal of this office at Yakima, Washington,


this 28th day of May, 1999.

Department of Ecology

by

Robert F. Barwin, Section Manager

ENGINEERING DATA

OK 

4x101 KB:ska

This authorization is subject to the following minimum flow provisions as specified in WAC 173-563-040 and WAC 173-563-050 and the following table. It is subject to regulation by the Department of Ecology for protection of instream resources whenever the March 1 forecast of April-September runoff at The Dalles is 60 MAF or less, and when gaged flow are predicted by the BPA 30-Day Power Operation Plan to violate the following minimum flow provisions at:

Primary Control Station(s): McNary
River Mile(s): 292.0

Minimum Average Weekly Flows
Columbia River Projects
(1,000 cubic feet/second)

PRIMARY CONTROL STATION:	Chief Joseph*	Wells/ Rocky Reach*	Rock Island & Wanapum*	Priest Rapids	McNary	John Day	The Dalles
RIVER MILE:	(545.1)	(515.6) (473.7)	(453.4) (415.8)	(397.1)	(292.0)	(215.6)	(191.5)
Jan	30	30	30	70	60	60	60
Feb	30	30	30	70	60	60	60
Mar	30	30	30	70	60	60	60
Apr 1-15	50	50	60	70	100	100	120
Apr 16-25	60	60	60	70	150	150	160
Apr 26-30	90	100	110	110	200	200	200
May	100	115	130	130	220	220	220
Jun 1-15	80	110	110	110	200	200	200
Jun 16-30	60	80	80	80	120	120	120
Jul 1-15	60	80	80	80	120	120	120
Jul 16-31	90	100	110	110	140	140	140
Aug	85	90	95	95	120	120	120
Sep	40	40	40	40	60	85	90
Oct 1-15	30	35	40	40	60	85	90
Oct 16-31	30	35	40	70	60	85	90
Nov	30	30	30	70	60	60	60
Dec	30	30	30	70	60	60	60

* For the reach from Grand Coulee through Wanapum, minimum average weekly flows shall be as shown above, or as necessary to maintain minimum flows (subject to low runoff and adjustment) at Priest Rapids, whichever is higher. As provided in WAC 173-563-050(1), the minimum average weekly flows set forth in this subsection are subject to a reduction of up to 25 percent during low flow years, except that in no case shall the outflow from Priest Rapids Dam be less than 36,000 cfs.

Use of water under this authorization shall be contingent upon the water right holder's utilization of up-to-date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities.

Use of water under this authorization can be expected to be curtailed at least once in every 20 years.

The annual quantity herein allocated is a portion of the amount reserved by the adoption of the John Day/McNary Reservation. The priority date of this filing, as against other uses, is July 24, 1980.